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## DESIGNATIONS AND RECOMMENDATIONS

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The role of the Idaho Water Resource Board is to establish water policy for the state, including the development of comprehensive water plans for geographic areas within the state. A key element of Idaho water policy and planning is state sovereignty. It is the policy of Idaho that the state has sovereignty over decisions affecting the development and use of its water resources. The state opposes any attempt by any other entity to usurp the state's role in these areas. Consistent with the goals and objectives of the Idaho Water Resource Board, and through the water planning process mandated by the Idaho Legislature, the following designations and recommendations are made to protect and manage the water resources of the Henrys Fork of the Snake River.

### State River Designations

The river reaches designated as state protected rivers have outstanding fish and wildlife, recreation, aesthetic or geologic values. These reaches are identified on maps in the appendix showing potential hydropower and reservoir sites. Having considered these values and balanced them with other river uses, the Water Resource Board has determined that the value of preserving the reach for these particular uses outweighs use of the waterway for other uses (Idaho Code 42-1734A). Existing uses will continue, and in many cases some other new uses will be allowed. This judgement is influenced to a large degree by current values. Where the designation of a state protected river precludes a project or development, the Board will consider requests from individuals to amend a component of the comprehensive state water plan on a case-by-case basis. The Board will amend the plan whenever the balance of competing uses changes. The determination shall be based on their evaluation of the impact of such change on the protection and preservation of the state's waterways, its economic impact on the state as a whole, whether it effects existing water rights, whether it is necessary to provide adequate and safe water for human consumption, and whether it is necessary to protect life. Where the Water Resource Board has not prohibited activities, this plan does not exempt persons from meeting normal regulatory requirements such as stream channel alteration permits, Department of Lands easements, water right permits, etc.

The comprehensive water planning legislation protects approved applications for the appropriation of water and other property rights from restrictions developed as part of the planning process. A water user may maintain or replace a water diversion structure, and may remove obstructions from the stream channel that interfere with the delivery or use of water.

There are many other river lengths that have some outstanding values, however, other uses or potential uses are significant. These streams or stream segments are not afforded protected river status at this time. A significant degree of protection exists for these other river areas because of well established federal and state agency regulatory programs. By choosing not to designate other state protected rivers at this time, the state does not endorse or support any specific development plans on any undesignated river reach.

1. Targhee Creek, including West and East Forks: from source to National Forest boundary (12.5 miles) - Natural

- Within Lionhead Roadless area.
- Grizzly bear and peregrine falcon habitat.

- Important spawning habitat for cutthroat and brook trout.

Targhee Creek, including West and East Forks, from sources to the Targhee National Forest boundary (Forest Route 057 bridge) is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

## 2. Henrys Fork: Big Springs to Island Park Reservoir (11 miles) and the lower 2 miles of Henrys Lake Outlet - Recreational

- Outstanding fishery values; national and international recognition, very high use rate per mile and a trophy fishery.
- Outstanding recreational values.
- Outstanding aesthetic values - the river is the focal point of large summer recreational use.
- Contains the first National Water Trail - from the abandoned railroad trestle crossing below Big Springs to U.S. Highway 20 bridge at Macks Inn.
- Major area of floating use from Big Springs to Upper Coffee Pot Rapids - the majority of the floaters are from out-of-state.
- Has one identified small potential hydroelectric project at Coffee Pot Rapids. A 45- foot drop within one-half a mile which could produce an average of 1,000 KW.
- No identified irrigation potential.

The Henrys Fork from Big Springs to Island Park Reservoir (McCrae Bridge) is designated a state recreational river. Also designated a state recreational river is the last two miles of Henrys Lake Outlet (also known as the Henrys Fork) starting at the beginning of the Forest Service land between Sections 29 and 30 near the Forest Boundary and ending at the mouth in Section 32, all in T. 14 N., R. 44 E. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations shall be prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. In addition, new private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

As part of the state designation, special attention is drawn to the boat docks along the river's banks. All docks built or significantly altered after July 1, 1971 must have a stream channel alteration permit from the Department of Water Resources. Current design standards may be applied to docks built after 1971.

The good water quality in this river section is very important to its continued recreational use. The large amount of ground-water inflow below the springs combined with the gravel materials underlying many recreational homesite areas creates a situation requiring close monitoring of water quality in this river section.

Pursuant to the designation of this reach as a state protected river, the Forest Service is urged to consider the effects upon the flow and quality at Big Springs of past and present forest management practice in the ground-water basin above the spring which includes the Thirsty Creek drainage.

### 3. Henrys Fork: Island Park Dam to Riverside Campground (16 miles) - Recreational

- Outstanding fishery values from Island Park Reservoir to U.S. Highway 20 crossing - has national and international recognition with very high use rates per mile and a trophy fishery.
- Outstanding recreational values and use from Island Park to Riverside Campground.
- Outstanding aesthetic values - the middle reach from the Box Canyon settlement to the Pine Haven subdivision is in an outstanding pastoral setting while the reaches at the upstream and downstream ends generally would be considered as having outstanding limited canyon environments.
- A major area of floating use from Island Park Reservoir to Riverside Campground.
- Has a limited hydroelectric potential partially in a short area in the upstream area near Island Park Reservoir.
- No identified irrigation potential.
- Year-round minimum stream flow of 300 cfs from mouth of Buffalo River to end of reach.

The Henrys Fork from the downstream right-of-way line of the U.S. Bureau of Reclamation Island Park Dam to the section line between Sections 24 and 25, T. 11 N., R. 42 E., located approximately one-fourth mile below Riverside Campground, is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations shall be prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new diversion works; and for public agencies to construct fishery enhancement facilities and public access facilities. In addition, new private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

As part of the state designation, special attention is drawn to the boat docks along the river's banks. All docks built or significantly altered after July 1, 1971 must have a stream channel alteration permit from the Department of Water Resources. Current design standards may be applied to docks built after 1971.

4. Golden Lake, Silver Lake and Thurman Creek from Golden Lake to mouth (4 miles) - Recreational

- Smaller sized water bodies: Golden Lake is 50 acres and Silver Lake is 150 acres.
- Lakes are somewhat shallow. Golden Lake is approximately ten feet deep, Silver lake is approximately three feet deep and is eutrophic with high summer water temperatures.
- Lakes are located generally within the special use Harriman State Park property, a pastoral setting beauty spot of the basin.
- Lakes are managed so no development can take place around them, lake level is not drawn down.
- Trumpeter swans nest on the shorelines. A significant portion of the local breeding population nest in this area.
- The lakes are an outstanding aesthetic natural resource.

Golden Lake, Silver Lake and Thurman Creek from Golden Lake to its confluence with the Henrys Fork, all mostly within Harriman State Park, are designated state recreational rivers (waterways). Waterways can include lakes. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction of hydropower projects;
- construction of water diversions works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations shall be prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, impoundments, fish and wildlife enhancement facilities and public stream access facilities and for public agencies to construct public access facilities, and fish and wildlife enhancement facilities.

Close coordination with the Idaho Department of Parks and Recreation will be necessary to ensure that their management of the lakes and creek complements this designation.

5. Henrys Fork: Riverside Campground to Hatchery Ford (4 miles) - Natural

- Outstanding fishery numbers and habitat, however, angler use is considerably reduced from upstream angler use.
- The recreational value is largely for kayaking use and is very good to outstanding. Actual recreational use is reduced from upstream recreation use, however, recreation use appears to be increasing.
- The aesthetic values relate to a mountain evergreen-covered canyon area without access except at the end points of this river area. Most viewers rate the canyon aesthetic values as outstanding.
- There is hydroelectric potential in this river reach.
- Year-round minimum stream flow of 300 cfs through the reach.

The Henrys Fork from the section line between Section 24 and 25, T. 11 N., R. 42 E., located approximately one-fourth mile below Riverside Campground to a point 100 feet upstream of the

Forest Service boat ramp at Hatchery Ford is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

6. Henrys Fork: 100 feet upstream of the Hatchery Ford boat ramp to a point 300 feet downstream of the ramp (approximately 400 feet) - Recreational

- This one-twelfth mile reach is extremely scenic because of its canyon environment.
- A concrete boat ramp is used as a take-out point for floaters from up river. Kayakers access the river here for whitewater runs to Sheep Falls or Upper Mesa Falls.
- The boat ramp access detracts from the naturalness of the setting.
- Improved recreational access will be needed in the future for this area.
- The Fremont County Commissioners filed for a Federal Energy Regulatory Commission permit to study the hydroelectric potential of the site as a diversion point for a pumped storage project that would use Ashton Reservoir as the release point. On November 22, 1991 the Federal Energy Regulatory Commission denied the request based on the federal prohibition against hydropower construction on this reach of the Henrys Fork.
- Year-round minimum stream flow of 300 cfs through the reach.

The Henrys Fork from a point 100 feet upstream of the Forest Service boat ramp to a point approximately 300 feet downstream of the ramp, is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments.
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed;

7. Henrys Fork: Hatchery Ford boat ramp to National Forest Boundary near Warm River (13 miles) - Natural

- This reach from Hatchery Ford to Upper Mesa Falls has outstanding aesthetic values as a river canyon environment. Sheep Falls has a 35-foot drop. Upper Mesa Falls is a spectacular single drop of 160 feet (compared to the Niagara Falls drop of 182 feet; the respective water flow is 1,000 cfs versus 200,000 cfs). One mile downstream, Lower Mesa Falls has a constricted cascade of 65 feet. These falls have statewide significance.
- The geologic aspects of the reach below Upper Mesa Falls are outstanding.
- The Upper Mesa Falls visitors area receives heavy use. The river area below Lower Mesa Falls is used by a small number of floaters who have a high regard for the faster water in this reach. In the area from Lower Mesa Falls past the Forest Boundary to the Highway 20 bridge, there is commercial river guiding activity and significant noncommercial recreation use. Angler use is much lower than upriver areas, perhaps because of limited access.

- Outstanding fish numbers and habitat exist in this river reach. Above Upper Mesa Falls angler use is restricted because of limited access.
- Year-round minimum stream flow of 300 cfs to one mile above Upper Mesa Falls, one mile above Upper Mesa Falls to one mile below Lower Mesa Falls: 300 cfs 10/1-3/31, 1000 cfs 4/1-9/30.

The Henrys Fork from a point 300 feet downstream of the Hatchery Ford boat ramp to the southern boundary of the Targhee National Forest near the mouth of Warm River is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

8. Henrys Fork: Forest Boundary near Warm River to Ashton Reservoir (8 miles) - Recreational

- The geologic aspects of the canyon change slightly near the forest boundary because of a decreased gradient in the river.
- The visual impact of the river also changes slightly near the forest boundary since the south-facing slopes of the canyon become nonforested. The aesthetic values for the reach are very high. The canyon ends two miles upstream from the highway crossing.
- The reach is heavily fished.
- The recreation classification is high because of the boating and fishing activity.
- Some hydroelectric potential exists.

The Henrys Fork from the southern boundary of the Targhee National Forest near Warm River to the U.S. Highway 20 bridge near the upstream limit of Ashton Reservoir is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new water diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. In addition, new private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to installations which have the main riverbed structure located below the water level and blended with the riverbed or to pumping installations which do not create an obstruction in the river, and are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

As part of the state designation, special attention is drawn to the boat docks along the river's banks. All docks built or significantly altered after July 1, 1971 must have a stream channel alteration permit from the Department of Water Resources. Current design standards may be applied to docks built after 1971.

9. Henrys Fork: Ashton Dam to Falls River (6 miles) - Recreational

- The fishery in this reach is classified as good to outstanding, and is heavily used.
- The identified Lower Ashton hydroelectric site is located in this reach.

The Henrys Fork from the south property line of the Utah Power and Light Co. Ashton Dam property to the confluence with the Falls River is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alteration is prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new water diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. In addition, new private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

10. Buffalo River - (8) miles and Elk Creek (1 mile) - Recreational

- The fishery use is very good to outstanding. The proposed addition of a fish ladder over the Ponds Lodge hydroelectric impoundment should further improve the fishery.
- Elk Creek below Elk Creek Reservoir and the seven-mile stretch of the Buffalo River above the U.S. Highway 20 bridge generally are classified as having outstanding aesthetic qualities. The Buffalo River Springs at the upper end of this designated area are particularly scenic.
- Recreational use of this river area is substantial.
- Sandhill cranes frequent the area.
- The identified Buffalo River project at the upper end of this river area has hydroelectric potential.

The Buffalo River from the springs (in the SW 1/4 of Sec. 21, T. 13 N., R.44 E.) to its confluence with the Henrys Fork and Elk Creek from below the right-of-way line of Elk Creek Dam to its confluence with the Buffalo River are designated state recreational rivers. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

The construction of hydropower projects is prohibited except for the rebuilding of the Ponds Lodge hydropower facility.

Stream channel alterations are prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; and for public agencies to construct public access facilities including bridges and fishery enhancement facilities; and for new diversion works including those associated with the rebuilding and upgrading of the Ponds Lodge hydroelectric project providing the conditions of the stream channel permit process are met.

Construction or expansion of dams or impoundments are prohibited unless associated with the rebuilding and upgrading, including a raise in the water level, of the Ponds Lodge project.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

As part of the state designation of this river reach, attention is directed to the fact there are occasional fences across the river reach. Provisions need to be made so boaters can navigate down the river area without restriction. State law prohibits restricting navigation. Assistance to landowners in providing alternate livestock control measures would be helpful.

Pursuant to the designation of this reach as a state protected river, the Forest Service is urged to consider the effects upon the flow and quality at the Buffalo River Springs of past and present forest management in the ground-water basin above the springs.

11. Warm River: Partridge Creek to the Forest Route 153 bridge (approximately 1/4 mile) - Natural

- This stream is quite small during the nonrunoff season.
- This reach is the upper end of a river reach that qualifies as a state natural river.
- The bridge detracts from the naturalness of the setting.
- Use of the fishery is low.

The Warm River from its confluence with Partridge Creek downstream to a point 100 feet upstream of the Forest Route 153 bridge is designated a state natural river. Pursuant to Idaho Code 42-1734A(6) the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

12. Warm River: Forest Route 153 bridge area (approximately 200 feet) - Recreational

- The recreational use of this reach is low.
- Use of the fishery is low.

- The bridge detracts from the naturalness of the setting.

The Warm River from a point 100 feet upstream of the Forest Route 153 bridge (in the NW 1/4 of Sec. 20, T. 44 E., R. 11 N., B.M.) to a point 100 feet downstream of the bridge is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain, improve, or replace the bridge.

#### 13. Warm River: Forest Route 153 bridge to Forest Route 154 bridge (7 miles) - Natural

- The recreational use of the reach is low, although access is provided at both ends.
- The stream is quite small except during the runoff season.
- The hydroelectric potential is low because of the limited water flow.
- The aesthetic value is quite high.

The Warm River from a point 100 feet downstream of the Forest Route 153 bridge to a point 100 feet upstream of the Forest Route 154 bridge is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

#### 14. Warm River: Forest Route 154 bridge area (approximately 200 feet) - Recreational

- The bridge is located at the Warm River Fish Hatchery site. The hatchery is not operational, but the buildings and bridge detract from the naturalness of the setting.
- This is the access point to view Warm River Springs, an outstanding aesthetic value.
- The hatchery buildings have value as an historic site.

The Warm River from a point 100 feet upstream of the Forest Route 154 bridge (in the SW 1/4 of Sec. 10, T. 44 E., R. 44 E., B.M.) to a point 100 feet downstream of the bridge is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain, improve, or replace the bridge.

Pursuant to the designation of this reach as a state protected river, the Forest Service is urged to consider the effects upon the flow and quality at Warm River Springs of past and present forest management practices in the ground-water basin above the Warm River Springs.

15. Warm River: Forest Route 154 bridge to Warm River Campground (7 miles) - Natural

- Year-round minimum stream flow of 141 cfs from Warm River Springs to mouth.
- The aesthetic values are tied to the canyon, and are high to outstanding. The cascades are particularly scenic.
- The hydroelectric potential is low, although some offstream development might be possible.
- Fishery values are high, although use is low. The reach is used as a spawning area.

The Warm River from a point 100 feet downstream of the Forest Route 154 bridge to a point 100 feet upstream of the bridge near the upstream edge of Warm River Campground (in the SW 1/4 of Sec. 7, T. 9. N., R. 44 E., B. M.) is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

16. Robinson Creek: from Yellowstone Park boundary to Forest Route 241 bridge (10 miles) - Natural

- Scenic canyon environment.
- Important spawning habitat for rainbow and brown trout.
- Grizzly bear habitat.

Robinson Creek from the Yellowstone National Park boundary to a point 100 feet upstream of the Forest Route 241 bridge is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

17. Robinson Creek: Forest Route 241 bridge to mouth (4 miles) - Recreational

- Important spawning habitat for rainbow and brown trout.
- Bridge crossing at both ends of reach.

Robinson Creek from a point 100 feet upstream of Forest Route 241 bridge to its confluence with Warm River is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to repair or replace existing bridges.

18. Rock Creek: from Yellowstone Park boundary to mouth (9 miles) - Recreational

- Important trout spawning habitat.
- Grizzly bear habitat.
- Several potential dam sites may be technically feasible.

Rock Creek from the Yellowstone National Park boundary to its confluence with Robinson Creek is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to repair or replace existing bridges.

19. Falls River: Idaho border to a point 100 feet upstream of the Yellowstone Diversion Dam (7 miles) - Natural

- The recreational value of this river reach is outstanding, although the actual use is quite low largely because of limited access.
- The aesthetic value of this river reach is outstanding because of its pristine condition.
- Sheep Falls is a scenic drop of about 30 feet, and is an outstanding visual resource.
- The hydroelectric potential of this river reach is significant.

The Falls River from the Idaho border to a point 100 feet upstream of the upstream right-of-way boundary of the Yellowstone Diversion Dam, is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;

- mineral or sand and gravel extraction within the streambed.

20. Falls River: from 100 feet upstream of the Yellowstone Diversion Dam to Kirkham Bridge (11 miles) - Recreational

- The reach has considerable potential for recreation use.

The Falls River from a point 100 feet upstream of the upstream right-of-way boundary of Yellowstone Diversion Dam to the Kirkham Bridge, located in Sections 2 and 3 along the northern boundary of T. 8 N., R. 43 E., is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

The construction of water diversion works is prohibited except for those associated with off-stream storage projects. The Water Resource Board can not support any project at this time since feasibility studies are not available for consideration. The existing water-right process provides opportunity for the public and the Water Resource Board to be involved in the approval of any potential project.

Stream channel alterations are prohibited except those necessary to maintain, improve, or relocate existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new off-stream storage projects; and for public agencies to construct public access facilities and fishery enhancement facilities.

The Falls River (FERC #9885) hydropower project will use the existing Marysville Canal diversion. This project has received a FERC license, and as such is considered a vested right by the Water Resource Board. The prohibitions associated with this state protected river designation, therefore, do not apply to this project.

21. Boone Creek: Idaho border to mouth (4 miles) - Natural

- Outstanding fish habitat.
- Outstanding wildlife values.
- Potential site for a high dam and reservoir.

Boone Creek from the Idaho border to its confluence with Falls River is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

22. Conant Creek: Idaho border to National Forest boundary (6 miles) - Natural

- Moose winter range.
- Trout spawning habitat when water is available.

Conant Creek from the Idaho border to the Targhee National Forest boundary is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

23. Conant Creek: National Forest boundary to Conant Creek diversion structure (3 miles) - Recreational

- Moose winter range.
- Trout spawning habitat when water is available.

Conant Creek from the Idaho border to the Targhee National Forest boundary is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. New private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

24. Teton River: Trail Creek to Highway 33 (14 miles) - Recreational

- The fishery values of the reach and its tributaries are outstanding.
- The reach and its tributaries contains outstanding wildlife habitat with water-dependent species present; used by Idaho species of concern.
- The scenic values of the area are extremely high.

The Teton River from its confluence with Trail Creek to the Highway 33 bridge is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations shall be prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, impoundments, fish and wildlife enhancement facilities and public stream access facilities, and for public agencies to construct public access facilities and fish and wildlife enhancement facilities.

#### 25. Teton River: Highway 33 to Felt Dam (11 miles) - Recreational

- The reach is an identified whitewater run.
- There is a year-round minimum stream flow from the bridge to the confluence with Bitch Creek of 106 cfs.
- Most of the reach is in a canyon setting.
- There is an existing hydropower project with an impoundment approximately three-quarters of a mile long at the end of the reach, and the potential exists for additional projects.
- There are a number of pump diversions in the lower end of the reach.

The Teton River from the Highway 33 bridge to Felt Dam is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments.
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed;

The construction of hydropower projects is prohibited except for the Upper Teton Project (FERC #10613), located in Sec. 3, T. 6 N., R. 44 E. The Water Resource Board has reviewed this proposed project and feels that the minimum streamflow that exists will provide sufficient protection to the river in the project area.

The construction of water diversion works is prohibited except for those associated with off-stream storage projects. The Water Resource Board can not support any project at this time since feasibility studies are not available for consideration. The existing water-right process provides opportunity for the public and the Water Resource Board to be involved in the approval of any potential project.

Stream channel alterations are prohibited except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new off-stream storage projects; and for public agencies to construct public access facilities and fishery enhancement facilities.

#### 26. Teton Creek: from the springs near Highway 33 to mouth (3 miles) - Recreational

- Habitat for Idaho species of concern.
- Trout spawning habitat.

Teton Creek from the springs near Highway 33 to its confluence with the Teton River is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. New private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

27. Fox Creek: from the springs to mouth (2.5 miles) - Recreational

- Habitat for Idaho species of concern.
- Trout spawning habitat.

Fox Creek from the springs for approximately 2.5 miles to its confluence with the Teton River is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed.

Stream channel alterations are prohibited except those necessary to maintain diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new diversion works; and for public agencies to construct public access facilities and fishery enhancement facilities. New private stream access facilities may be allowed with Idaho Water Resource Board approval.

New diversion works shall be limited to pump installations which do not create an obstruction in the river; are visually blended with the surroundings so as to be less noticeable from the river; are provided with fish screens if appropriate; are to supply water for livestock, domestic, commercial or municipal uses; are sized to supply water at a rate not to exceed 0.5 cubic feet per second; and which receive the aesthetic and fish screen design approval of the Idaho Department of Water Resources.

28. Badger Creek: from the springs to mouth (3 miles) - Recreational

- Habitat for Idaho species of concern.

- Trout spawning habitat.

Badger Creek from the springs in the canyon for approximately 3 miles to its confluence with the Teton River is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed;
- mineral or sand and gravel extraction within the streambed.

29. Bitch Creek: Idaho Border to the railroad trestle (5 miles) - Natural

- The fishery values for this stream reach are outstanding, although the use levels are low.
- Other recreation use also is low, probably because access is limited.
- The canyon has high aesthetic value with conifers on both slopes.
- There is some hydroelectric potential along this stretch.

Bitch Creek from the Idaho border to the railroad trestle in the NW 1/4 of Sec.9, T. 7 N., R. 45 E. is designated a state natural river. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed
- mineral or sand and gravel extraction within the streambed;

30. Bitch Creek: Railroad trestle to Highway 32 (2 miles) - Recreational

- The fishery is outstanding.
- High aesthetic values, with a narrow valley in this reach.
- The railroad trestle and highway bridge detract from the natural setting.

Bitch Creek from the railroad trestle in the NW 1/4 of Sec. 9, T. 7 N., R.45 E. to the Highway 32 bridge, located in the NW 1/4 of Sec. 17, T. 7 N., R. 45 E., is designated a state recreational river. Pursuant to Idaho Code 42-1734A(6), the following activities are prohibited:

- construction or expansion of dams or impoundments.
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- mineral or sand and gravel extraction within the streambed;

31. Bitch Creek: Highway 32 to mouth (7.5 miles) - Natural

- This reach has an outstanding fishery, although use is low because of limited access.

- There is a year-round minimum stream flow of 28 cfs.
- There is some hydropower potential on the reach.
- The reach is an identified whitewater run.

Bitch Creek from the Highway 32 bridge to its confluence with the Teton River is designated a state natural river. If Teton Dam is rebuilt to its original height this designation shall terminate at the backwaters of the reservoir. Pursuant to Idaho Code 42-1734A(5), the following activities are prohibited:

- construction or expansion of dams or impoundments;
- construction of hydropower projects;
- construction of water diversion works;
- dredge or placer mining;
- alterations of the streambed
- mineral or sand and gravel extraction within the streambed;

## Recommendations

1. Encourage water resource-related economic development funding for private, city, county, state and federal projects.
2. Provide minimum stream flows where necessary to protect existing uses and values.
3. All regulatory agencies should seek to protect riparian areas.
4. Encourage the screening of irrigation diversion structures to protect fishery values, where necessary or appropriate.
5. The development of new irrigation is kept as a goal and shall be encouraged through state actions where environmental values can be retained.
6. Develop programs or incentives to make water conservation more attractive to water users.
7. Cooperative basin planning is encouraged, particularly where management entities have overlapping interests.
8. Having adopted a plan for the Henrys Fork Basin, the State will oppose actions by other entities which do not recognize and are not compatible with the State's plan.
9. Having identified river reaches where the state wants the construction of hydropower projects prohibited, the state recommends modification of the Northwest Power Planning Council's protected areas designations to coincide with the river reaches identified in the basin plan.
10. Flood control studies are needed on several river reaches.
11. Encourage water conservation and the use of water bank water, in lieu of new impoundments, as a source of additional water.
12. Study the availability of the ground-water resource in the plateau areas east of St. Anthony and in the Canyon Creek area.
13. Water yield, water quality, and water development opportunities should be a planning consideration by the U.S. Forest Service and U.S. Bureau of Land Management.
14. The state should seek to insure sufficient flow in the tributaries to Henrys Lake and the tributaries to the Teton River to provide spawning habitat for the resident fishery.
15. Support the efforts of the Division of Environmental Quality, Fremont County, the Yellowstone Soil Conservation District, Idaho Department of Fish and Game, and the Henrys Lake Foundation to improve the water quality in Henrys Lake and its tributaries.

16. The state should reexamine the role of artificial recharge within the basin. Earlier studies in the Egin Bench area can provide direction to the study effort.
17. The following waterways have recreational values that deserve special recognition and stringent application of existing regulatory authorities whenever new stream-altering activities are proposed:

Henry's Fork: confluence with Falls River to mouth

Falls River: Kirkham Bridge to mouth

Teton river: Bitch Creek to North Branch (Fork) - South Branch (Fork) at point of division

Teton River: North Branch (Fork)

Teton River: South Branch (Fork)